



STEVE COOLEY
LOS ANGELES COUNTY DISTRICT ATTORNEY

18000 CLARA SHORTRIDGE FOLTZ CRIMINAL JUSTICE CENTER
210 WEST TEMPLE STREET LOS ANGELES, CA 90012-3210 (213) 974-3501

August 23, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

18 August 23, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**FEDERAL EQUITABLE SHARING AGREEMENT AND ANNUAL CERTIFICATION REPORT FOR
FISCAL YEAR 2010-2011 (ALL DISTRICTS) (3 VOTES)**

SUBJECT

Federal Equitable Sharing Agreement and Annual Certification Report for Fiscal Year 2010-2011, a prerequisite to receive equitably-shared cash, property, or proceeds.

IT IS RECOMMENDED THAT YOUR BOARD:

Approve and instruct the Mayor to sign the enclosed Agreement which enables the District Attorney's Office to continue participation in the Federal Equitable Sharing program and to report the use of federal equitable sharing funds received in Fiscal Year 2010-2011.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In order for the District Attorney's Office (DA) to receive federally forfeited cash, property, proceeds, and any interest thereon from the Federal Equitable Sharing Program, the DA is required to submit an Annual Federal Equitable Sharing Agreement and Certification form within 60 days after the end of the County fiscal year.

Implementation of Strategic Plan Goals

Participation in the Federal Equitable Sharing Program is consistent with the County's Strategic Plan Goal No. 5, Public Safety, by ensuring that the committed efforts of the public safety partners continue to maintain and improve the safety and security of the people of Los Angeles County, by using funds for law enforcement operation costs that enhance the quality of criminal investigations for prosecution.

FISCAL IMPACT/FINANCING

Federal Equitable Sharing funds support law enforcement training, travel, communication and other eligible law enforcement costs. In Fiscal Year 2010-2011, the Department utilized \$1,076,406.63 in Federal Equitable Sharing funds.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Federal Equitable Sharing funds received from the Federal Equitable Sharing Program are deposited into a District Attorney Special Fund and are used for eligible law enforcement operation costs.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This program does not propose attorney staff augmentation. Therefore, the District Attorney's Office is not subject to the Board Motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Departments.

CONCLUSION

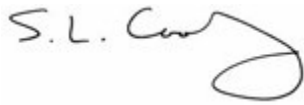
It is requested that the Executive Officer-Clerk of the Board return an adopted copy of this Board letter and the Federal Equitable Sharing Agreement and Annual Certification Report, with original signatures, to Corina Masoni, Accounting Section, District Attorney's Office, 201 North Figueroa Street, Suite 1300, Los Angeles, California 90012. Any questions may be directed to Ms. Masoni at 213-202-7653 or via email at cmasoni@da.lacounty.gov.

The Honorable Board of Supervisors

8/23/2011

Page 3

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "S.L. Cooley". The signature is fluid and cursive, with a large, stylized loop at the end.

STEVE COOLEY

District Attorney

vc

Enclosures

c: Chief Executive Officer
County Counsel



Equitable Sharing Agreement and Certification



OMB Number 1123-0011
Expires 7-31-2011

- ☐ Police Department ☐ Sheriff's Office ☐ Task Force (Complete Table A, page2)
☒ Prosecutor's Office ☐ Other (specify) _____

Agency Name: LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE

NCIC/ORI/Tracking Number: C A 0 1 9 1 5 3 A

Street Address: 201 N. Figueroa Street, Suite 1300

City: Los Angeles **State:** CA **Zip:** 90012

Contact: Title: Mr. First: Norbert Last: Ruiz

Contact: Phone: 213-202-7655 E-mail: nruiz@da.lacounty.gov

☐ Same as Preparer: First: Corina Last: Masoni
☐ Contact Preparer: Phone: 213-202-7653 E-mail: cmasoni@hotmail.com

Last Fiscal Year End: 06/30/2011 **Agency Current Fiscal Year Budget:** \$320,391,000.00

- ☐ **New Participant:** Read the Equitable Sharing Agreement (page 5) and sign the Affidavit (page 6)
☒ **Existing Participant:** Complete the Annual Certification Report, read the Equitable Sharing Agreement (page 5), and sign the Affidavit (page 6)
☐ **Amended Form:** Revise the Annual Certification Report, read the Equitable Sharing Agreement (page 5), and sign the Affidavit (page 6).

Annual Certification Report

Summary of Equitable Sharing Activity		Justice Funds ¹	Treasury Funds ²
1	Beginning Equitable Sharing Fund Balance (must match Ending Equitable Sharing Fund Balance from prior FY)	\$0.00	\$0.00
2	Federal Sharing Funds Received	\$926,716.87	\$21,752.75
3	Federal Sharing Funds Received from Other Law Enforcement Agencies and Task Forces (complete Table B, page 2)	\$111,350.29	\$1,302.67
4	Other Income	\$0.00	\$0.00
5	Interest Income Accrued Non-Interest Bearing <input type="radio"/> Interest Bearing <input checked="" type="radio"/>	\$15,264.89	\$19.16
6	Total Equitable Sharing Funds (total of lines 1 - 5)	\$1,053,332.05	\$23,074.58
7	Federal Sharing Funds Spent (total of lines a - m below)	\$1,053,332.05	\$23,074.58
8	Ending Balance (difference between line 7 and line 6)	\$0.00	\$0.00

¹ Justice Agencies are: FBI, DEA, ATF, USPI, USDA, DCIS, DSS, and FDA.

² Treasury Agencies are: IRS, ICE, CBP, USSS, and USCG.

Summary of Shared Monies Spent		Justice Funds	Treasury Funds
a	Total spent on salaries for new, temporary, not-to-exceed one year employees Refer to § VIII.A.2.a.3 of the <i>Justice Guide</i>		
b	Total spent on overtime		
c	Total spent on informants, "buy money," and rewards		
d	Total spent on travel and training	\$192,878.58	\$23,074.58
e	Total spent on communications and computers	\$554,663.18	\$0.00
f	Total spent on weapons and protective gear		
g	Total spent on electronic surveillance equipment		
h	Total spent on buildings and improvements		
i	Total transfers to other state and local law enforcement agencies (complete Table C, page 3)		
j	Total spent on other law enforcement expenses (complete Table D, page 3)	\$305,790.29	
k	Total Expenditures in Support of Community-based Programs (complete Table E, page 3)		
l	Total Windfall Transfers to Other Government Agencies (complete Table F, page 3)		
m	Total spent on matching grants (complete Table G, page 3)		
n	Total	\$1,053,332.05	\$23,074.58
o	Did your agency receive non-cash assets? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, complete Table H, page 3.		

Please fill out the following tables, if applicable.

Table A: Members of Task Force

Agency Name	NCIC/ORI/Tracking Number

Table B: Equitable Sharing Funds Received from other Agencies

Total the amount transferred to each agency on separate lines

Transferring Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: SAN BERNARDINO SHERIFF'S DEPARTMENT		
NCIC/ORI/Tracking Number: C A 0 3 6 0 0 0 0	\$21,352.00	\$0.00
Agency Name: LA COUNTY SHERIFF'S DEPT - CALMET		
NCIC/ORI/Tracking Number: C A 0 1 9 0 0 3 6	\$35,886.78	\$0.00
Agency Name: LA IMPACT		
NCIC/ORI/Tracking Number: C A 0 1 9 2 K O X	\$54,111.51	\$1,302.67

Table C: Equitable Sharing Funds Transferred to Other Agencies

Total the amount transferred to each agency on separate lines

Receiving Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: <input type="text"/>	<input type="text"/>	<input type="text"/>
NCIC/ORI/Tracking Number: <input type="text"/>	<input type="text"/>	<input type="text"/>

Table D: Other Law Enforcement Expenses

Description of Expense	Justice Funds	Treasury Funds
Law Enforcement Training Officer	\$226,407.00	<input type="text"/>
Law Enforcement Vehicle Equipment	\$79,383.29	<input type="text"/>

Table E: Expenditures in Support of Community-based ProgramsRefer to § VIII.A.1.m and Appendix C of the *Justice Guide*

Recipient	Justice Funds	Treasury Funds
<input type="text"/>	<input type="text"/>	<input type="text"/>

Table F: Windfall Transfers to Other Government AgenciesRefer to § VIII.A.1.n of the *Justice Guide* and pp. 25-26 of the *Treasury Guide*

Recipient	Justice Funds	Treasury Funds
<input type="text"/>	<input type="text"/>	<input type="text"/>

Table G: Matching GrantsRefer to § VIII.A.1.h of the *Justice Guide* and p. 22 of the *Treasury Guide*

Matching Grant Name	Justice Funds	Treasury Funds
<input type="text"/>	<input type="text"/>	<input type="text"/>

Table H: Other Non-Cash Assets Received

Source	Description of Asset
Justice <input type="radio"/>	<input type="text"/>
Treasury <input type="radio"/>	

Table I: Civil Rights Cases

Name of Case	Type of Discrimination Alleged			
Dimitrios Biller V. County of Los Angeles, et al	<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Gender
	<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Age	<input type="checkbox"/> Other	
David Eng V. County of Los Angeles, et al	<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Gender
	<input type="checkbox"/> Disability	<input type="checkbox"/> Age	<input checked="" type="checkbox"/> Other Retaliation	

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section, Program Management and Strategic Planning Unit, 1400 New York Avenue, N.W., Second Floor, Washington, DC 20005.

Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the above-stated law enforcement agency ("Agency"), and (3) the governing body, sets forth the requirements for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By its signatures, the Agency agrees that it will be bound by the statutes and guidelines that regulate shared assets and the following requirements for participation in the federal equitable sharing program. Receipt of the signed Equitable Sharing Agreement and Certification (this "Document") is a prerequisite to receiving any equitably shared cash, property, or proceeds.

1. **Submission.** This Document must be submitted to aca.submit@usdoj.gov within 60 days of the end of the Agency's fiscal year. This Document must be submitted electronically with the Affidavit/Signature page (page 6) submitted by fax. This will constitute submission to the Department of Justice and the Department of Treasury.
 2. **Signatories.** This agreement must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, chairperson, secretary, city attorney, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body's head is the person who allocates funds or approves the budget for the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, director, secretary, administrator, commissioner, and governor.
 3. **Uses.** Any shared asset shall be used for law enforcement purposes in accordance with the statutes and guidelines that govern the federal Equitable Sharing Program as set forth in the current edition of the Department of Justice's *Guide to Equitable Sharing for State and Local Law Enforcement (Justice Guide)*, and the Department of the Treasury's *Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies (Treasury Guide)*.
 4. **Transfers.** Before the Agency transfers cash, property, or proceeds to other state or local law enforcement agencies, it must first verify with the Department of Justice or the Department of Treasury, depending on the source of the funds, that the receiving agency is a federal Equitable Sharing Program participant and has a current Equitable Sharing Agreement and Certification on file.
 5. **Internal Controls.** The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury. Funds from state and local forfeitures and other sources must not be commingled with federal equitable sharing funds. The Agency shall establish a separate revenue account or accounting code for state, local, Department of Justice, and Department of the Treasury forfeiture funds. Interest income generated must be accounted for in the appropriate federal forfeiture fund account.
- The Agency agrees that such accounting will be subject to the standard accounting requirements and practices employed for other public monies as supplemented by requirements set forth in the current edition of the *Justice Guide* and the *Treasury Guide*, including the requirement in the *Justice Guide* to maintain relevant documents and records for five years.
- The misuse or misapplication of shared resources or the supplantation of existing resources with shared assets is prohibited. Failure to comply with any provision of this agreement shall subject the recipient agency to the sanctions stipulated in the current edition of the *Justice or Treasury Guides*, depending on the source of the funds/property.
6. **Audit Report.** Audits will be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Circular A-133. The Department of Justice and Department of the Treasury reserve the right to conduct periodic random audits.

Affidavit - Existing Participant

Under penalty of perjury, the undersigned officials certify that **they have read and understand their obligations under the Equitable Sharing Agreement** and that the information submitted in conjunction with this Document is an accurate accounting of funds received and spent by the Agency under the *Justice* and/or *Treasury Guides* during the reporting period and that the recipient Agency is in compliance with the National Code of Professional Conduct for Asset Forfeiture.

The undersigned certify that the recipient Agency is in compliance with the nondiscrimination requirements of the following laws and their Department of Justice implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above? ☒ **Yes** ☐ **No**

If you answered yes to the above question, complete Table I

Agency Head

See ¶ 2 on page

Signature: Steve Cooley

Name: STEVE COOLEY

Title: DISTRICT ATTORNEY

Date: 8/01/11

Governing Body Head

See ¶ 2 on page

Signature: Michael D. Antonovich

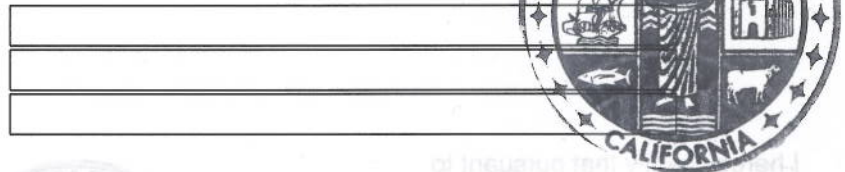
Name: MICHAEL D. ANTONOVICH

Title: MAYOR

Date: AUG 23 2011

Subscribe to Equitable Sharing Wire:

The Equitable Sharing Wire is an electronic newsletter that gives you important, substantive, information regarding Equitable Sharing policies, practices, and procedures.



Final Instructions:

Step 1: Click to save for your records

Step 2: Click to save in XML format

Step 3: E-mail the XML file to aca.submit@usdoj.gov

Step 4: Fax THIS SIGNED PAGE ONLY to (202) 616-1344

FOR AGENCY USE ONLY

Entered by _____

Entered on _____

☐ FY End: 06/30/2011

Date Printed: July 27, 2011 13:54

☒ NCIC: CA019153A Agency: LOS ANGELES COUNTY DISTRICT ATTORNEY'S Office Phone: 213-202-7655

☐ State: CA Contact: Norbert Ruiz

E-mail: nruiz@da.lacounty.gov

APPROVED AS TO FORM:

BY: [Signature]

December 2010

Version 1.A

Affidavit - Existing Participant

Under penalty of perjury, the undersigned certifies that they have read and understood their obligations under the Equitable Sharing Agreement and that the information submitted in conjunction with this Affidavit is an accurate and complete account of funds received and spent by the Agency under the Justice and Safety Training Grants during the reporting period and that the recipient Agency is in compliance with the National Code of Professional Conduct for Adult Corrections.

The undersigned certifies that the recipient Agency is in compliance with the nondiscrimination requirements of the following laws and their Department of Justice implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. 20001 et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations pertaining to federal investment funds and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

During the past fiscal year, (1) has any court or administrative agency issued any finding, judgment or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above?

Yes ☐ No ☒

If you answered yes to the above question, complete Table 1

31840



Agency Head
Signature: *[Signature]*
Name: STEVE COOLEY
Title: DISTRICT ATTORNEY
Date: 8/01/11



ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

18 AUG 23 2011

I hereby certify that pursuant to
Section 25103 of the Government Code,
delivery of this document has been made.

SACHIA A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By: *[Signature]*
Deputy

[Signature]
SACHIA A. HAMAI
EXECUTIVE OFFICER

APPROVED AS TO FORM:

By: *[Signature]*